

40.35. HISTORIC REVIEW**40.35.05. Purpose.**

The purpose of Historic Review is to preserve, enhance, and perpetuate landmarks and districts which represent or reflect elements of the City's cultural, social, economic, and architectural history and to promote the use of historic districts and landmarks for the education, pleasure, housing and public welfare of the City's current and future citizens. This Section is carried out by the approval criteria listed herein.

40.35.10. Applicability

1. The scope of Historic Review shall be limited to the exterior alteration, modification, demolition, and moving of a designated historic landmark and the construction of new structures within a designated historic district.
2. Historic Review approval shall not be required for the following:
 - A. Changes in use.
 - B. Interior remodeling.
 - C. Maintenance or repair of the exterior where any change to the original building materials or physical appearance is conducted in a manner that is consistent with previous approvals. Determination of the original building materials or physical appearance can be made by reviewing a historic photograph, original building plans, or other evidence of the original building features.
3. Nothing in this Code shall be construed to prevent the construction, reconstruction, alteration, or demolition of City designated historic resources which the City Building Official certifies as required by the City's Building Code.

40.35.15. Application.

There are four (4) Historic Review applications which are as follows: Alteration, Emergency Demolition, Demolition of a Landmark, and New Construction in a Historic District.

40.35.15.

1. Alteration of a Landmark.

- A. Threshold. An application for Alteration of a Landmark shall be required when one or more of the following thresholds apply:
1. Changes to any aspect of the exterior appearance, including, but not limited to, paint color, exterior finish materials, architectural detailing, and changes to window and door locations or dimensions.
 2. Moving a landmark to a new location.
- B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to an application for Alteration of a Landmark. The decision making authority is the Board of Design Review.
- C. Approval Criteria. In order to approve an Alteration of a Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for an Alteration of a Landmark application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The distinguishing original historic or architectural qualities or character of a building, structure, or site and its environment are being preserved.
 4. Any alteration to buildings, structures, and sites are in keeping with the time period of the original construction.
 5. Any distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site have been preserved unless said features are a threat to public health and safety or are in violation of building, fire, or access regulations.

40.35.15.1.C.

6. Deteriorating architectural features will be repaired rather than replaced, wherever possible.
7. New material used for replacement will match the material being replaced in terms of composition, design, color, texture, and other visual qualities.
8. The repair or replacement of missing architectural features is based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence.
9. The design of the proposed addition or alteration does not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood, or environment.
10. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

- D. Submission Requirements. An application for an Alteration of a Landmark shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Alteration of a Landmark application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of an Alteration of a Landmark application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.70.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

40.35.15.

2. Emergency Demolition of a Landmark.

- A. Threshold. An application for Emergency Demolition of a Landmark shall be required when the following threshold applies:
1. Demolition of an existing landmark when demolition is required by the Building Official.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Emergency Demolition of a Landmark. The decision making authority is the Director.
- C. Approval Criteria. In order to approve an Emergency Demolition of a Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for an Emergency Demolition of a Landmark application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code. [ORD 4265; September 2003]
 4. The City of Beaverton Building Official has declared, consistent with the Dangerous Buildings Code, the historic building or structure to be an immediate threat to health and safety.
 5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

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- D. Submission Requirements. An application for an Emergency Demolition of a Landmark shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Emergency Demolition of a Landmark application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of an Emergency Demolition of a Landmark application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

40.35.15.

3. Demolition of a Landmark.

- A. Threshold. An application for Demolition of a Landmark shall be required when the following threshold applies:
1. Demolition of an existing landmark.
- B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to an application for Demolition of a Landmark. The decision making authority is the Board of Design Review.
- C. Approval Criteria. In order to approve a Demolition of a Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Demolition of a Landmark application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The economic, social, environmental, and energy consequences of allowing the demolition outweigh the preservation of the historic landmark.
 4. The applicant has not rejected the highest bona fide offer for sale and removal of the building.
 5. If applicable, the historic or architectural significance of the resource is not sufficient to warrant its continued preservation.
 6. If applicable, the physical condition of the building is such that it is not practical to improve its condition to meet applicable building codes.

40.35.15.3.C.

7. If within a Historic District, the loss of the structure will not diminish the overall integrity of the District.
 8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
- D. Submission Requirements. An application for a Demolition of a Landmark shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Demolition of a Landmark application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Demolition of a Landmark application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.70.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

40.35.15.

4. New Construction in a Historic District.

- A. Threshold. An application for New Construction in a Historic District shall be required when the following threshold applies:
1. Construction of a new structure of more than 120 gross square feet in size in a historic district, which is not attached to a designated historic structure.
- B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to an application for New Construction in a Historic District. The decision making authority is the Board of Design Review.
- C. Approval Criteria. In order to approve a New Construction in a Historic District application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a New Construction in a Historic District application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. As it relates to existing surroundings and future allowed uses, their location, size, shape, height, and spatial and visual arrangement, the proposed development is compatible with and does not substantially detract from the historic value of the existing Historic District.
 4. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

40.35.15.4.

- D. Submission Requirements. An application for a New Construction in a Historic District shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The New Construction in a Historic District application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a New Construction in a Historic District application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.70.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

